IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (S.J.) No. 1021 of 2019

Md. Ibrahim Ansari ... ... **Appellant**

Versus

The State of Jharkhand ... ... **Respondent**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Appellant : Mr. R.S. Mazumdar, Sr. Advocate
For the State : Ms. Amrita Kumari, A.P.P.

03/05.02.2020 Heard Mr. R.S. Mazumdar, learned senior counsel for the appellant and Ms. Amrita Kumari, learned A.P.P. for the State.

This appeal is directed against the order dated 18.02.2019 passed by the learned District & Additional Sessions Judge-I-cum-Special Judge, Godda in connection with Basantrai P.S. Case No. 04 of 2018, corresponding to G.R. Case No. 10 of 2018, by which the prayer for bail of the appellant has been rejected.

Earlier the appellant had moved this Court for grant of bail in Cr. Revision No. 791 of 2018 which was rejected on 26.07.2018.

It appears from the allegations that on the pretext of marriage the appellant had established physical relationship with the victim. It also appears that there are two 164 Cr.P.C. statements recorded by the victim and in the first statement she has cast insinuation upon the father of the appellant namely Md. Sayeed Ansari. However, subsequently she had corrected such assertions and has stated that it was the appellant who had committed rape upon her on the pretext of marriage. The appellant is in custody since 23.02.2018.

Regard being had to the period of custody undergone by the appellant and the statements of the victim recorded u/s 164 Cr.P.C., while setting aside the order dated 18.02.2019 passed by the learned District & Additional Sessions Judge-I-cum-Special Judge, Godda in connection with Basantrai P.S. Case No. 04 of 2018, corresponding to G.R. Case No. 10 of 2018, the appellant, named above, is directed to be released

on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each, to the satisfaction of learned District & Additional Sessions Judge-I-cum-Special Judge, Godda in connection with Basantrai P.S. Case No. 04 of 2018, corresponding to G.R. Case No. 10 of 2018.

This appeal stands allowed and disposed of.

(R. Mukhopadhyay, J.)

Alok/-